



Altering the Register to Record a Change of Sex

Alteration of the record of the persons sex in the registration of the persons birth. Under Part 5(a) of the *Births, Deaths and Marriages Registration Act 1995* a person whose birth is registered in NSW, who has undergone a sex affirmation procedure can apply to the Registry to record their new sex on their Birth Certificate.

You must not be married at the time of your application.

How to complete this application

Please read the instructions carefully. All sections of this form must be completed. Please use black ink and BLOCK letters to complete this form. All corrections must be initialled. Do not use white out.

1. This application includes four (4) forms: Applicant's Statutory Declaration to record a change of sex along with two (2) supporting Statutory Declarations to register a change of sex (to be completed by two (2) Australian registered medical practitioners verifying that you have undergone a sex affirmation procedure) and payment details.
All forms must be completed and given to the Registry with the appropriate identification and fee.
2. All sections must be completed to ensure your application can be processed quickly. A checklist is provided to assist you. Incomplete applications will experience a delay.
3. Please provide at least three (3) forms of identification with your application (see identification categories). A qualified witness must certify photocopies of identification documents as true copies of the original. (see page 5).
4. If you have not previously changed your name on your birth registration and wish to do so, you will need to complete an application for change of name. This is a separate process. Please contact the Registry for the appropriate form.
5. Write your present residential address on the Statutory Declaration to *Record a Change of Sex*. A post office box is not acceptable. You can record your postal address on the payment details form.
6. Ensure your signature on your Statutory Declaration form is witnessed by a qualified witness (see page 5). The qualified witness must complete their name, address and daytime telephone number.
7. The fee for recording a change of sex includes the issue of a new Birth Certificate.
8. Overseas documents must be translated into English by an accredited translator.

Please note

- Your new Birth Certificate will not be marked in any way to indicate your sex has been changed. If you have changed your name since your birth was first registered, a notation stating that your birth was 'previously registered in another name' will appear on the new certificate.
- Access to your old Birth Certificate is restricted by legislation once the change of sex has been recorded.

Certificate fees

See separate "Fees for Products and Services" flyer.

Statutory Declaration to Record a Change of Sex

Under Section 32(b) of the *Births, Deaths and Marriages Registration Act 1995* for persons born in the state of New South Wales.

Details of the person completing this declaration

I, _____
(full name presently being used)

of _____
(present residential address)

_____ (suburb) _____ (postcode)

declare

daytime phone number _____

I, was born on ____ / ____ / ____ at _____ and registered in _____
(date of birth) (place of birth)

the full name of _____

Mother's name in full _____

Father's name in full _____

and my sex at birth was recorded as _____
(male/female)

My marital status is*

(please state whether never married, divorced or widowed – * If you have been previously married, you will need to show evidence of this termination of the last marriage. This may be an original of your final divorce papers, or original death certificate if you have been widowed.)

I have since undergone a sex affirmation procedure for which I tender medical verification by two (2) Australian registered medical practitioners with my application.

I now apply to the Registrar to change my record of birth in accordance with Section 32(B), showing my sex registered on my new

Birth Certificate as _____
(male/female)

I understand it is a punishable offence to give false information in this declaration.

I make this solemn declaration conscientiously believing the same to be true and correct and by virtue of the provisions of the *Oaths Act 1900*.

I understand that the NSW Registry of Births Deaths & Marriages may confirm or verify the validity of any document provided with this application to establish my identity and eligibility for this change of sex to be recorded.

I have read and understand 'Your Right To Privacy' and 'Disclosure of Information' thoroughly and that the information provided is true and correct.

Signature of applicant

A qualified witness* must witness your signature, (please see page 5). The qualified witness must complete their name, address and daytime telephone number.

Signature of applicant _____

DECLARED at _____ in the State of _____ on ____ / ____ / ____

BEFORE ME (signature of JP or qualified witness*) _____

Witness daytime phone number _____

Name and address of witness (block letters) _____

JP No. _____

Tick correct title of witness: Justice of the Peace Notary Public Legal Practitioner (holding a current practising certificate)
 A person authorised to administer an oath under Section 26 of the *Oaths Act 1900*

If you knowingly provide false information in this statutory declaration, you may be guilty of an offence under Section 57 of the *Births, Deaths and Marriages Registration Act 1995*.

Section 57 – False representation: A person who makes a representation in an application, notice or document under this Act or in response to a notice under section 44 of this Act (Registrar's powers of inquiry), knowing the representation to be false or misleading in a material particular, is guilty of an offence.

Maximum penalty: 100 penalty units or 2 years imprisonment, or both.

Supporting Statutory Declaration 1 – Change of Sex (to verify a sex affirmation procedure)

Under Section 32(B) of the *Births, Deaths and Marriages Registration Act 1995*.

Details of medical practitioner completing this form

I, _____
(full name of medical practitioner)
of _____
(present residential address of medical practitioner)
_____ (suburb) _____ (postcode)
daytime phone number _____

declare

I am registered in Australia as a medical practitioner and my Medicare Provider Number is _____

I have examined or performed a sex affirmation procedure on _____
(full name of applicant being used at present)

whose identity I have confirmed from documents provided to me.

I confirm this person has undergone a sex affirmation procedure as defined in Section 32(A), sex affirmation procedure means a surgical procedure involving the alteration of a person's reproductive organs carried out:

- a) for the purpose of assisting a person to be considered to be a member of the opposite sex; or
- b) to correct or eliminate ambiguities relating to the sex of the person.

I support the application of _____
(full name of applicant)

to have their birth record altered in accordance with Section 32(D) of the *Births, Death & Marriages Registration Act 1995*, showing the sex now to be _____
(female/male)

This is a confidential disclosure for the exclusive use of the NSW Registry of Births Deaths & Marriages.

I make this solemn declaration conscientiously believing the same to be true and correct and by virtue of the provisions of the *Oaths Act 1900*.

Signature of medical practitioner

A qualified witness* must witness your signature, (please see page 5). The qualified witness must complete their name, address and daytime telephone number.

Signature of medical practitioner _____

DECLARED at _____ in the State of _____ on ____ / ____ / ____

BEFORE ME (signature of JP or qualified witness*) _____

Witness daytime phone number _____

Name and address of witness (BLOCK LETTERS) _____

JP No. _____

- Tick correct title of witness: Justice of the Peace Notary Public Legal Practitioner (holding a current practising certificate)
 A person authorised to administer an oath under Section 26 of the *Oaths Act 1900*

If you knowingly provide false information in this statutory declaration, you may be guilty of an offence under Section 57 of the *Births, Deaths and Marriages Registration Act 1995*.

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Maximum penalty: 100 penalty units or 2 years imprisonment, or both.

Supporting Statutory Declaration 2 – Change of Sex (to verify a sex affirmation procedure)

Under Section 32(B) of the *Births, Deaths and Marriages Registration Act 1995*.

Details of medical practitioner completing this form

I, _____
(full name of medical practitioner)
of _____
(present residential address of medical practitioner)
_____ (suburb) _____ (postcode)
daytime phone number _____

declare

I am registered in Australia as a medical practitioner and my Medicare Provider Number is _____

I have examined or performed a sex affirmation procedure on _____
(full name of applicant being used at present)

whose identity I have confirmed from documents provided to me.

I confirm this person has undergone a sex affirmation procedure as defined in Section 32(A), sex affirmation procedure means a surgical procedure involving the alteration of a person's reproductive organs carried out:

- a) for the purpose of assisting a person to be considered to be a member of the opposite sex; or
- b) to correct or eliminate ambiguities relating to the sex of the person.

I support the application of _____
(full name of applicant)

to have their birth record altered in accordance with Section 32(D) of the *Births, Death & Marriages Registration Act 1995*, showing the sex now to be _____
(female/male)

This is a confidential disclosure for the exclusive use of the NSW Registry of Births Deaths & Marriages.

I make this solemn declaration conscientiously believing the same to be true and correct and by virtue of the provisions of the *Oaths Act 1900*.

Signature of medical practitioner

A qualified witness* must witness your signature, (please see page 5). The qualified witness must complete their name, address and daytime telephone number.

Signature of medical practitioner _____

DECLARED at _____ in the State of _____ on ____ / ____ / ____

BEFORE ME (signature of JP or qualified witness*) _____

Witness daytime phone number _____

Name and address of witness (BLOCK LETTERS) _____

_____ JP No. _____

- Tick correct title of witness: Justice of the Peace Notary Public Legal Practitioner (holding a current practising certificate)
 A person authorised to administer an oath under Section 26 of the *Oaths Act 1900*

If you knowingly provide false information in this statutory declaration, you may be guilty of an offence under Section 57 of the *Births, Deaths and Marriages Registration Act 1995*.

Section 57 – False representation: A person who makes a representation in an application, notice or document under this Act or in response to a notice under Section 44 of this Act (Registrar's powers of inquiry), knowing the representation to be false or misleading in a material particular, is guilty of an offence.

Maximum penalty: 100 penalty units or 2 years imprisonment, or both.

Payment Details to Record a Change of Sex

*Your certificate will be mailed to you if your application is received by post and will incur a postage and handling fee.

See separate "Fees for Products and Services" flyer.

Please PRINT clearly in BLACK pen. Start at the left. Write one letter in each box. Leave one box between words. Please complete all details.
APPLICANT'S DETAILS (details of person completing this form). **Please provide at least (3) certified copies of identification with your application.**

Family Name

Given Name/s

Street Address

Suburb State Postcode

Postal Address (if different from above)

Suburb State Postcode

Email

Signature of Applicant Daytime Phone Number ()

DETAILS OF BIRTH

Family Name at Birth

Given Name/s at Birth

Date of Birth / /

Place of Birth (Town/City)

State Postcode

Father's Full Name

Mother's Full Name

PAYMENT DETAILS (complete this section for mail applicants only) See separate "Fees for Products and Services" flyer

Enclosed is a Cheque* OR Please Debit my: AMEX Mastercard Visa \$

Card Number

Name of Cardholder Expiry Date /

Signature of Cardholder

(Cheques should be made payable to the 'NSW Registry of Births, Deaths & Marriages')



Identification

- **Photocopies of identification must be certified by a qualified witness* (see below) as true copies of the original.**
To protect your privacy, the Registry requires proof of your identity.
- Please provide at least three (3) forms of identification, one of each from Categories 1, 2 and 3 or 4.
- If you are unable to provide identification from Categories 1 and 2, **you must** still provide at least three (3) forms of identification. At least two (2) of these **must be** from Category 3.
- One (1) form of identification must show your current residential address.

CATEGORY 1	CATEGORY 2	CATEGORY 3
<ul style="list-style-type: none">• Australian Birth Certificate	<ul style="list-style-type: none">• Australian Driver's Licence• Australian Passport• Firearms Licence• Foreign Passport	<ul style="list-style-type: none">• Medicare Card• Credit or Debit Card• Centrelink or Department of Veterans Affairs Card• Security Guard/Crowd Control Licence• Tertiary Education Institution ID Card
CATEGORY 4		
<ul style="list-style-type: none">• Recent utility account that has been posted to your current residential address• Recent bank statement that has been posted to your current residential address		

*Qualified witness

The following persons can certify photocopies of documents as true copies of the original and can also witness your signature.

- Justice of the Peace
- Notary Public
- Legal Practitioner (holding a practising certificate)

Checklist to assist you in completing your application

- I have read the instructions carefully.
- I have completed the Statutory Declaration to Record a Change of Sex.
- My signature on the Statutory Declaration form has been witnessed by a qualified witness.
- I have included the required forms of identification with this application.
- All copies of identification have been certified as true copies of the original by a qualified witness.
- Two (2) medical practitioners (Australian registered) have completed the supporting Statutory Declarations.
- I have completed the Payment Details form.

Your Right to Privacy

The NSW Registry of Births Deaths & Marriages administers the *Births, Deaths and Marriages Registration Act 1995* (NSW). Information required on this form is collected under the provisions of the Act as the basis to alter the register to record a change of sex. These are part of the civil records of NSW and a permanent historical record. The public does not have access to these records.

The information held by the Registry may be used for statistical purposes and by law enforcement agencies, as well as other uses provided for by law. Such access for approved purposes may be granted to other Registries and certain government agencies (including Passports Office, Department of Immigration and Citizenship, and motor vehicle or driver licencing authorities) and to the authorised non-government agencies.

To protect your privacy, the Registry requires proof of your identity. In line with the *Privacy and Personal Information Protection Act 1998*, the Registry collects this information to determine your eligibility to alter the register to record a change of sex, to obtain the requested certificate, and to prevent fraud.

For more information on privacy and disclosure of change of sex data, please visit www.bdm.nsw.gov.au

Disclosure of Information

When you complete this application form, we will assume that you consent to the release of information provided by you, to those agencies who may be able to validate that information in support of your application.

This information may be provided to agencies including (but not limited to) other Registries of Births, Deaths & Marriages, Law Enforcement agencies, Department of Foreign Affairs and Trade (DFaT), Department of Immigration and Citizenship (DIAC), and motor vehicle or driver licencing authorities. Usually these referrals will be to simply verify the documents or other evidence that you have provided us in making your application for a certificate. If there are discrepancies, we may require you to correct any errors with the issuing agency, before being able to process your application. It is extremely important that all your identity documents are accurate and reflect your correct identity information.

Documents provided as proof of identity may have their authenticity verified through the online Certificate Validation Service (CertValid) and the National Document Verification System (DVS). Documents issued by this office may also be verified by other organisations using CertValid and/or DVS.

How to lodge this application

Please post your application with your identification and payment to:

NSW Registry of Births Deaths & Marriages
GPO Box 30
Sydney NSW 2001

Or visit a Registry office:

- 35 Regent Street, Chippendale, Sydney NSW 2008
Monday to Friday 8.00am – 4.30pm
- 95 Tudor Street, Hamilton, Newcastle NSW 2303
Monday to Friday 8.00am – 4.30pm
- 2/74 Kembla Street, Wollongong NSW 2500
Monday to Friday 8.00am – 4.30pm
- 160 Marsden Street, Parramatta NSW 2150
Monday to Friday 8.00am – 4.30pm

If you require further information or need advice, a language assistance service is available by phoning the Translating and Interpreting Service (TIS) on 13 14 50.



**Registry of Births
Deaths & Marriages**
Attorney General & Justice

www.bdm.nsw.gov.au